

IN THE UNITED STATES DISTRICT COURT
NORTHER DISTRICT OF GEORGIA
NEWNAN DIVISION

DIANDRA JONES,

Plaintiff,

v.

COSTCO WHOLESALE CORPORATION,

Defendant.

CIVIL ACTION FILE
NUMBER: 21SV0660E

DEFENDANT'S NOTICE OF REMOVAL

1.

Plaintiff, Diandra Jones, filed a civil action file number. 21SV0660E in the State Court of Coweta County, State of Georgia styled *Diandra Jones Plaintiff v. Costco Wholesale Corporation. Defendant* alleging that on May 9, 2020, she was injured on Defendant's premises. A copy of the applicable summons and complaint are attached hereto as Exhibit "A" and a copy of Defendant's Answer is attached hereto as Exhibit "B". There have been no other pleadings filed in the State action.

2.

At the time of the filing of the Complaint Defendant was a citizen and resident of the State of Georgia (see Complaint ¶ 1).

3.

At the time of the filing the Defendant Costco Wholesale Corporation was a Washington corporation with a principal place of business located 999 Lake Drive, Issaquah Washington, 98027.

4.

The foregoing action is properly removal to this Court pursuant to 28 U.S.C. § 1441(a), 28 U.S.C. § 1446(a)(b). In accordance with 28 U.S.C. § 1332(a) there exists a complete diversity of citizenship between Plaintiff and Defendant bearing burden the amount in controversy, exclusive of interest and cost exceeds \$75,000.00 (see Exhibit "C").

5.

Costco Wholesale Corporation is the only named Defendant and consents to removal of this action.

6.

Notice is hereby given, within 30 days after service and receipt of the Summons and Complaint filed in the State Court of Coweta County, Georgia, and in accordance with 28 U.S.C. § 1446 and pursuant to Fed. R. Civ. P. 11 of the removal of this action.

Respectfully submitted this 18th day of January, 2022.

DENNIS, CORRY, SMITH & DIXON, LLP

By: /s/ *George E. Duncan, Jr.*
GEORGE E. DUNCAN, JR.
Georgia Bar No. 233450

/s/ *William B. Pate*
WILLIAM B. PATE
Georgia Bar No. 793099
For the Firm
Attorneys for Defendant Costco
Wholesale Corporation

900 Circle 75 Parkway, Suite 1400
Atlanta, GA 30339
(404) 926-3663
(404) 365-0134 Facsimile
Gduncan@dcplaw.com
Wpate@dcplaw.com

CERTIFICATE OF SERVICE

I served this **DEFENDANT NOTICE OF REMOVAL** by depositing said copy in the United States mail in a properly-addressed envelope with adequate postage thereon to

Daniel Michael Johnson, Esq.
W. Calvin Smith, II, P.C.
3560 Lenox Road, N.E.
Suite 3020
Atlanta, GA 30326

This 18th day of January, 2022.

/s/ William B. Pate
WILLIAM B. PATE
Georgia Bar No. 793099
For the Firm

THIS IS TO CERTIFY that, pursuant to LR 5.1C, NDGa., the above document was prepared in Courier New, 12 pt.

1763-14409 (GED)